

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1813 be amended to read as follows:

- 1 Page 79, between lines 12 and 13, begin a new paragraph and insert:
2 "SECTION 106. IC 31-35-1-4, AS AMENDED BY P.L.200-1999,
3 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2001]: Sec. 4. (a) If requested by the parents:
5 (1) the county office of family and children; or
6 (2) a licensed child placing agency;
7 may sign and file a verified petition with the juvenile or probate court
8 for the voluntary termination of the parent-child relationship.
9 (b) The petition must:
10 (1) be entitled "In the Matter of the Termination of the
11 Parent-Child Relationship of _____, a child, and
12 _____, the child's parent (or parents)"; and
13 (2) allege that:
14 (A) the parents are the child's natural or adoptive parents;
15 (B) the parents, including the alleged or adjudicated father if
16 the child was born out of wedlock:
17 (i) knowingly and voluntarily consent to the termination of
18 the parent-child relationship; or
19 (ii) are not required to consent to the termination of the
20 parent-child relationship under section 6(b) of this chapter;
21 (C) termination is in the child's best interest; and
22 (D) the petitioner has developed a satisfactory plan of care and
23 treatment for the child.
24 **(c) This subsection applies to a petition filed in a county having**

a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). If the petitioner's plan of care and treatment for the child includes adoption, the petitioner shall, as part of the petition, verify that the petitioner:

(1) has identified; or

(2) is in the process of identifying;

a prospective adoptive parent for the child.

SECTION 107. IC 31-35-2-4, AS AMENDED BY P.L.200-1999, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) A petition to terminate the parent-child relationship involving a delinquent child or a child in need of services may be signed and filed with the juvenile or probate court by any of the following:

(1) The attorney for the county office of family and children.

(2) The prosecuting attorney.

(3) The child's court appointed special advocate.

(4) The child's guardian ad litem.

(b) The petition must:

(1) be entitled "In the Matter of the Termination of the Parent-Child Relationship of _____, a child, and _____, the child's parent (or parents)"; and

(2) allege that:

(A) one (1) of the following exists:

(i) the child has been removed from the parent for at least six (6) months under a dispositional decree;

(ii) a court has entered a finding under IC 31-34-21-5.6 that reasonable efforts for family preservation or reunification are not required, including a description of the court's finding, the date of the finding, and the manner in which the finding was made; or

(iii) after July 1, 1999, the child has been removed from the parent and has been under the supervision of a county office of family and children for at least fifteen (15) months of the most recent twenty-two (22) months;

(B) there is a reasonable probability that:

(i) the conditions that resulted in the child's removal or the reasons for placement outside the home of the parents will not be remedied; or

(ii) the continuation of the parent-child relationship poses a threat to the well-being of the child;

(C) termination is in the best interests of the child; and

(D) there is a satisfactory plan for the care and treatment of the child.

(3) Indicate whether at least one (1) of the factors listed in section 4.5(d)(1) through 4.5(d)(3) of this chapter applies and specify each factor that would apply as the basis for filing a motion to

1 dismiss the petition.

2 **(c) This subsection applies to a petition filed in a county having**
3 **a population of more than four hundred thousand (400,000) but**
4 **less than seven hundred thousand (700,000). If the plan of care and**
5 **treatment for the child includes adoption, the attorney for the**
6 **county office of family and children shall, as part of the petition,**
7 **verify that the county office of family and children:**

8 **(1) has identified; or**

9 **(2) is in the process of identifying;**

10 **a prospective adoptive parent for the child."**

11 Page 82, line 27, after "December 31" insert ",".

12 Renumber all SECTIONS consecutively.

(Reference is to HB 1813 as printed February 28, 2001.)

Representative Kuzman